

## **Local Rules Changes - Effective 3/3/2005**

The following Local Rules changes will be incorporated into the pdf files on the Local Rules Page of this website in the near future.

The following Local Rules have been revised:

3015-4 - Chapter 13 - Conversion to Chapter 12 or 13 from another Chapter

7016-1(b) - Pretrial Procedures

7026-1(c) - Discovery - General

9074-1 - Telephonic Hearings, Telephonic Participation in Court Hearings, and Telephonic Conferences

On February 28, 2005, the United States District Judges for the District of Maine approved the following new Local Bankruptcy Rule 3015-4.

RULE 3015 - 4 - CHAPTER 13 - CONVERSION TO CHAPTER 12 OR 13  
FROM ANOTHER CHAPTER

(a) Filing Plan and Amended Schedules and Statements. Unless the court extends the time, the debtor shall file a plan and any amended schedules and statements within 15 days from the date of conversion of the case to Chapter 12 or 13 from another chapter. Amended portions of the schedules and statements shall be identified conspicuously.

(b) Filing Proof of Claim or Interest.

(1) *By a governmental unit.* A proof of claim filed by a governmental unit is timely filed in a case converted to Chapter 12 or 13 from another chapter if it is filed not later than 180 days from the date of conversion.

(2) *By an entity other than a governmental unit.* A proof of claim is timely filed in a case converted to Chapter 12 or 13 from another chapter if it is filed not later than 90 days after the first date set for the meeting of creditors called under §341(a) in the converted case.

(3) *Claims filed before conversion.* A claim timely filed and not previously disallowed in the case before conversion to Chapter 12 or 13 is timely filed in the Chapter 12 or 13 case upon conversion.

On February 28, 2005, the United States District Judges for the District of Maine approved the following amendment to Local Bankruptcy Rule 7016-1(b).

RULE 7016-1 - PRETRIAL PROCEDURES

(a) ...

(b) ...

(1) ...

(2) Proposed Pretrial Order. No later than seven (7) days prior to the initial pretrial conference, the parties shall file a proposed joint pretrial order. **Counsel shall use the form Joint Pretrial Statement/Pretrial Order which is available on the Court's Website under the category of Forms.** ...

(c) ...

On February 28, 2005, the United States District Judges for the District of Maine approved the following new section to Local Bankruptcy Rule 7026-1.

RULE 7026-1 - DISCOVERY - GENERAL

(a) ...

(b) ...

(c) Confidentiality Order. A party by motion or with the agreement of all parties may submit to the Court a proposed order governing the production and use of confidential documents and information in the pending action. The proposed order shall conform to the Form Confidentiality Order which is available on the Court's Website under the category of Forms. Any proposed modification to the Form Confidentiality Order shall be identified with a short statement of the reason for each modification.

On February 28, 2005, the United States District Judges for the District of Maine approved the following new, replacement Local Bankruptcy Rule 9074-1.

RULE 9074-1 - TELEPHONIC HEARINGS, TELEPHONIC PARTICIPATION  
IN COURT HEARINGS, AND TELEPHONIC CONFERENCES

(1) Telephonic Attendance of In-Court Hearings. The court may permit parties-in-interest and observers to attend in-court hearings telephonically. For routine matters, parties-in-interest may be heard telephonically, but, without leave of court, will not be permitted to participate in the presentation of evidence. The court may determine that observers attending hearings telephonically do so only in a “listen only” or “muted” mode.

(2) Telephonic Conferences and Telephonic Hearings for Non-Routine Matters. Telephonic conferences and telephonic hearings in non-routine matters, including discovery disputes, shall be set specially utilizing procedures for setting special matters.

(3) Facilities and Procedures for Telephonic Hearings, Telephonic Participation in In-Court Hearings, and Telephonic Conferences. The clerk shall promulgate administrative procedures for telephonic participation in hearings and conferences. Such procedures may include requirements for advance notification and for use of a designated telephone conference vendor (including compliance with such vendor’s reservation and payment requirements).

(4) Record of Telephonic Proceedings. The court will record telephonic proceedings for the official record as appropriate. Unofficial recordings are not authorized and may not be made without leave of court.